1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON 8 SEATTLE DIVISION 9 AMANDA SCHICK, 10 Civil Action No. 2:20-cv-01529-BJR Plaintiff, 11 v. 12 SUPPLEMENTAL DECLARATION OF CHAD V. ECHOLS IN OPPOSITION TO STUDENT LOAN SOLUTIONS, LLC, 13 PARTIAL SUMMARY JUDGMENT Defendant. 14 15 Chad V. Echols declares as follows: 16 17 1. I am over eighteen years of age, of sound mind, and fully competent to make this 18 declaration. 19 2. I am an attorney of record for Defendant Student Loan Solutions, LLC ("SLS") in this 20 action and make this declaration of my own personal knowledge. 21 3. I have reviewed all relevant documents in this action, including Plaintiff Amanda 22 Schick's ("Plaintiff") responses to SLS's discovery requests. 23 4. SLS's discovery requests specifically asked Plaintiff to produce her bank statements 24 for the time frame in which SLS's documents show the loan at issue was disbursed, 25 and her bank statements for the time frame in which she made payments to Williams Declaration of Chad V. Echols THE ECHOLS FIRM, LLC P.O. Box 12645 PAGE 1 Rock Hill, SC 29730 803-329-1970

chad.echols@theecholsfirm.com

& Fudge, Inc.

- Despite claiming to have provided such bank statements, no bank statements were included in Plaintiff's document production.
- 6. Plaintiff's discovery responses also contain inconsistent positions and statements.
- 7. I assisted in the drafting of a letter to send to Plaintiff's counsel regarding what we believe to be the deficiencies in Plaintiff's discovery responses.
- 8. I received a response to that letter on April 1, 2021, which included an offer to confer next week. In addition to the letter, I received supplemental discovery responses from Plaintiff. However, the supplemental responses were limited to two monthly bank statements, and identification of the same, which purport to show parking and mail expenses incurred by Plaintiff, as identified by Plaintiff in ¶¶ 20-21 of her declaration.
- 9. Because Plaintiff did not produce bank statements for either the time period in which the loan was disbursed or the time period in which payments were made to Williams & Fudge, Inc., we have attempted to obtain those statements from another source. To that end, I sent a subpoena to Plaintiff's bank for the statements. A true and correct copy of the subpoena, cover letter, and shipping information is attached hereto as **Exhibit**A. A true and correct copy of the printout from the shipper showing the envelope containing the subpoena was received is attached hereto as **Exhibit B**.
- 10. Additionally, after receiving Plaintiff's discovery responses but prior to Plaintiff's filing of her motion for partial summary judgment, counsel determined a deposition of Plaintiff was necessary because of the inconsistent and contradictory responses Plaintiff provided in her discovery responses. Counsel has not yet noticed the deposition or conferred with Plaintiff's counsel about available dates because we

believe a deposition would be most fruitful after receiving all relevant documents, including Plaintiff's bank statements. Since those documents have not yet been received and discovery remains ongoing, no deposition has been scheduled.

- 11. Depending on when the bank statements are received and their contents, and depending on what Plaintiff says in her deposition, additional discovery may be warranted.
- 12. SLS cannot present all the facts essential to its opposition to Plaintiff's motion and/or to prove its position until additional discovery is completed. Specifically, at a minimum, SLS needs the requested bank statements and Plaintiff's testimony which is all important and relevant.
- 13. SLS has been diligent in pursuing discovery in this case, and given the discovery deadlines identified by the Court in this case, SLS anticipates being able to obtain the discovery it knows it needs, as well as any additional discovery it cannot yet know it needs, prior to the discovery deadline.
- 14. On April 6, 2021, Wells Fargo provided responses directly to me. Attached as Exhibit
 C is a true and correct copy of the "Business Records Declaration" I received from
 Wells Fargo. Attached as Exhibit D are true and correct copies (with privacy redactions) of two of the bank statements Wells Fargo provided.
- 15. The bank statements provided by Wells Fargo show Plaintiff had at least one additional account between August, 1, 2007 and December 1, 2007, which she failed to disclose. See Ex. D, pp. 1-4 and Declaration of Michael S. O'Meara ("O'Meara Decl."), DE 22-4, ¶ 4 and DE 22-5, Ex. B, p. 10, Int. Resp. # 15.
- 16. The bank statements provided by Wells Fargo also show the following deposit in 2017:

09/28 Online Transfer Ref # TP5F From Checking Student Loan

25,000.00

See Ex. D., p. 6.

Declaration of Chad V. Echols

THE ECHOLS FIRM, LLC
P.O. Box 12645
Rock Hill, SC 29730
803-329-1970
chad.echols@theecholsfirm.com

- 17. This deposit suggests Plaintiff may have at least one more undisclosed checking account, especially considering there is no corresponding withdrawal from her other Wells Fargo checking account. *See* Ex. D, pp. 1-4.
- 18. There is no loan of this size in Plaintiff's student ledgers from Multnomah University, and the timing appears to directly contradict her declaration under penalty of perjury. See O'Meara Decl., DE 22-4, ¶ 4 and DE 22-5, Ex. B., at SCHICK000123-SCHICK000131 and Declaration of Amanda Schick ("Schick Decl."), DE 19-1, ¶¶ 4-5 and Ex. A.
- 19. The only two student loans Plaintiff identified in her bankruptcy petition which could be the source of these funds are the loan at issue, which was originally owed to Bank of America, N.A. and now is owed to SLS, and a loan from America Education Services ("AES"), with an account number ending in 0769. *See O'Meara Decl.*, DE 22-4, ¶ 4 and DE 22-5, Ex. B., at SCHICK000019-SCHICK000023.
- 20. The bank statements provided by Wells Fargo also show the following withdrawal in 2017:

10/02 Aes Stdnt Loan _____0769 Amanda L Schick 25,000.00 See Ex. D., p. 8.

- 21. This entry appears to be a payment to an AES student loan, with an account number ending in 0769.
- 22. This payment suggest the source of the \$25,000 deposit was not the AES loan. The only other possible obligation Plaintiff identifies in her bankruptcy petition which could be the source of these funds in the loan at issue. *See O'Meara Decl.*, DE 22-4, ¶ 4 and DE 22-5, Ex. B., at SCHICK000019-SCHICK000023.

	Case 2:20-cv-01529-BJR Document 23-1 Filed 04/07/21 Page 5 of 26
1	23. At a minimum, these bank statement show that a deposition of Plaintiff is necessary
2	and that additional subpoenas may need to be issued.
3	I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED
4	STATES AND THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.
5	DATED this 7th day of April, 2021 at Rock Hill, SC.
6	
7	/ / Cl 1 1 V F 1 1
8	<u>/s/ Chad V. Echols</u> Chad V. Echols
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Declaration of Chad V. Echols

PAGE 5

THE ECHOLS FIRM, LLC
P.O. Box 12645
Rock Hill, SC 29730
803-329-1970
chad.echols@theecholsfirm.com

EXHIBIT A



Chad V. Echols
chad.echols@theecholsfirm.com
Marissa A. Coyle
marissa.coyle@theecholsfirm.com
Jenna M. Williams
jenna.williams@theecholsfirm.com
David A. Grassi
david.grassi@theecholsfirm.com

March 23, 2021

Via FedEx

Wells Fargo, N.A. c/o Corporate Service Company 300 Deschutes Way SW MC-CSC1 Suite 208 Tumwater, WA 98501

Re:

Amanda Schick v. Student Loan Solutions, LLC

United States District Court District Western District of Washington

Civil Action No.: 2:20-cv-01529-BJR

Our File No.:

CIV-4549

Dear Sir or Madam:

Enclosed please find a Subpoena for the production of documents in the above-referenced matter. Please contact my office if you have any questions regarding this document. Thank you for your assistance.

Yours very truly,

Chad V. Echols

Enclosure (as described)

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

	UNITED STATE	S DIS	ISTRICT COURT
		for the	<u></u>
	Western Distr	ict of W	Washington
	AMANDA SCHICK)	
	Plaintiff)	GL 11 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1
	v.)	Civil Action No. 2:20-cv-01529-BJR
	STUDENT LOAN SOLUTIONS, LLC)	
	Defendant)	
	SUBPOENA TO PRODUCE DOCU OR TO PERMIT INSPECTION		TS, INFORMATION, OR OBJECTS REMISES IN A CIVIL ACTION
To:	Wells Fargo Bank, N.A.	XX	TW. M.C. CCC.1. C.: 4- 200. T
10.	•		SW, MC-CSC1, Suite 208, Tumwater, WA 98501
,			this subpoena is directed)
docume	ents, electronically stored information, or objects,		t the time, date, and place set forth below the following permit inspection, copying, testing, or sampling of the
materia	through October 31, 2016 for accounts owned or	r held by	by (or formerly owned or held by) Washington consumer not limited to the checking account ending in 5557.
Place:	The O'Meara Law Office, P.S. 1602 Virginia Avenue Everett, WA 98201	<u></u>	Date and Time: April 6, 2021 5:00 p.m. EST
other pr	operty possessed or controlled by you at the time,	, date, ai	o permit entry onto the designated premises, land, or and location set forth below, so that the requesting party roperty or any designated object or operation on it.
Place:			Date and Time:
respond	The following provisions of Fed. R. Civ. P. 45 ar (d), relating to your protection as a person subject to this subpoena and the potential consequences March 23, 2021	t to a su	shed – Rule 45(c), relating to the place of compliance; subpoena; and Rule 45(e) and (g), relating to your duty to doing so.
	CLERK OF COURT		OB
			OR s/ Chad V. Echols
	Signature of Clerk or Deputy	Clerk	Attorney's signature
The nar	ne, address, e-mail address, and telephone numbe	r of the	e attorney representing (name of party)
Student	Loan Solutions, LLC		, who issues or requests this subpoena, are:
Chad V	Echols The Echols Firm, LLC PO Box 12645 Ro	ock Hill	II SC 29731 chad.echols@theecholsfirm.com (803) 329-8970

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 2:20-cv-01529-BJR

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

1 (date)			
☐ I served the su	bpoena by delivering a copy to the nar	med person as follows:	
		on (date)	or
☐ I returned the s	subpoena unexecuted because:		
		States, or one of its officers or agents, I e, and the mileage allowed by law, in the	
\$	·		
y fees are \$	for travel and \$	for services, for a total of \$	0.00
I declare under pe	nalty of perjury that this information i	is true.	
e:		Server's signature	
		Printed name and title	
		Server's address	

Additional information regarding attempted service, etc.:

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action(Page 3)

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

- (1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
- (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
 - (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

- (A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
- (B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

- (A) When Required. On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:
 - (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) When Permitted. To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
- (C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
 - (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

- (1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:
- (A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
- (B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
- (C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.
- (D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

- (A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
 - (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
- (B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

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After printing this label: CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Fold the printed page along the horizontal line.
 Place label in shipping pouch and affix it to your shipment.

EXHIBIT B

Dear Customer,

The following is the proof-of-delivery for tracking number: 773238385295

Delivery Information:

Status: Delivered To: Receptionist/Front Desk

Signed for by: J.HUEY Delivery Location: 300 DESCHUTES WAY SW 304

Service type: FedEx 2Day

Special Handling: Deliver Weekday TUMWATER, WA, 98501

Delivery date: Mar 25, 2021 10:15

Shipping Information:

Tracking number: 773238385295 Ship Date: Mar 23, 2021

Weight:

Recipient: Corporate Service Company, 300 Deschutes Way SW MC-CSC1, Suite 208 TUMWATER, WA, US, 98501 Shipper: Chad Echols, The Echols Firm, LLC 224 Oakland Avenue ROCK HILL, SC, US, 29730



EXHIBIT C



Summons and Subpoenas Department PO Box 29728 S4001-01F Phoenix, AZ 85038 Voice: (480)724-2000

BUSINESS RECORDS DECLARATION

I, Rachel Finn, am over the age of eighteen and I declare that I am employed by Wells Fargo Bank, N.A. ("Wells Fargo") in the Summons and Subpoenas Department and am a duly authorized and qualified witness to certify the authenticity of the attached documents and/or information produced pursuant to the legal order. Wells Fargo reserves the right to designate another Custodian as it deems appropriate in the event an actual appearance is required concerning the records produced. I certify that the attached records:

- A) Were prepared by personnel of Wells Fargo in the ordinary course of business at or near the time of the acts, conditions or events described in the records; and
- B) It was the ordinary course of business for Wells Fargo employees or representatives with knowledge of the act, event, or condition recorded to make the record or transmit the information therein to be included in such record.
- C) The records attached are true and correct copies of the business records as maintained by Wells Fargo.

The records produced are described as follows:

Case number: 24957096

Document Type	Account #	Paper Count	Copies
Statements	XXXXXX5540	23	23
Statements	XXXXXX5557	130	130
Statements	XXXXXX5557	36	36
Statements	XXXXXX4109	60	60
		Total Copies Delivered:	249

Additional comments:

The bank's standard record retention period is seven years.

I declare under penalty of perjury under the law(s) of the state of Washington that the foregoing is true and correct according to my knowledge and belief. Executed on this 6th day of April, 2021, in the City of Tempe, State of ARIZONA.

Subpoena Processing Representative

Image copies of requested transactions may be missing for the following reasons: Items not imaged, corrupted, blank, damaged, destroyed or not available, item(s) piggy-backed, electronic transaction(s). If the legal order requests certain types of loan information and other non-depository information, it was forwarded to other departments and they will respond to you directly.

Case No: 24957096; Agency Case No: 220CV01529BJR

EXHIBIT D

Case 2:20-cv-01529-BJR Document 23-1 Filed 04/07/21 Page 17 of 26

Account Statement

September 19 through October 16, 2007

Account Number: 5540

Page 1 of 4



AMANDA L SCHICK
626 NE 93RD AVE
APT A
PORTLAND OR 97220-4538

Thank you for banking with Wells Fargo. For assistance, call: 1-800-TO-WELLS (1-800-869-3557), TDD number (for the hearing impaired only):1-800-877-4833. Or write: WELLS FARGO BANK, N.A., SELAH, P.O. BOX 6995, PORTLAND, OR 97228-6995.

Announcing a change that will affect ATM Cards and Check Cards when used at non-Wells Fargo ATMs in the Instant Cash network. This change will not impact functionality at Wells Fargo ATMs. Beginning 1/28/08 at selected Instant Cash ATMs, ATM/Check Cards will be able to access only one primary checking and one primary savings account. This change will be rolled out at Instant Cash ATMs throughout 2008. If you have any questions, please call us at the number listed on your account statement. We appreciate your business and look forward to continuing to serve your financial needs.

Wells Fargo Free Checking

Amanda L Schick

Account Number: 5540

Activity summary

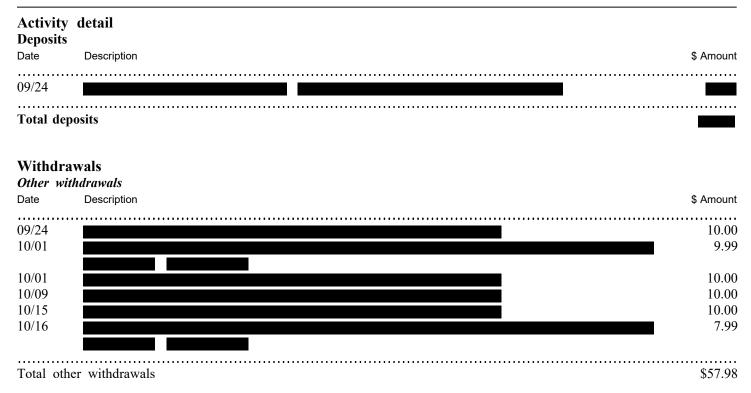
Balance on 09/18
Deposits
Withdrawals

-57.9

Balance on 10/16

Before you leave on your next vacation, don't forget to get American Express Travelers Cheques. For more information and to purchase your Travelers Cheques, talk to your local banker. Or sign on to Wells Fargo Online Banking at wellsfargo.com and select "Account Services" then "Order Travelers Cheques".

Page 2 of 4



Important Visa Account Updater Change: Effective November 12, 2007, Wells Fargo is expanding the Visa Account Updater Service (VAU) to include changes to a cardholder's card number as a result of a card reported as lost/stolen, unless there is reported fraud on the card number that is being replaced. Because not all merchants subscribe to the VAU Service, you should always notify each individual merchant of your new card number.

Daily balance summary

Date	\$ Balance	Date	\$ Balance	Date	\$ Balance
09/18 09/24		10/01 10/09		10/15 10/16	

Direct Deposit Advance (Lender -Wells Fargo Bank, N.A.)

Outstanding advance balance as of the beginning of this statement period including Finance Charges
Outstanding advance balance as of the end of this statement period including Finance Charges



Finance Charges incurred on advances taken during this statement period



Current advance credit limit

Case 2:20-cv-01529-BJR Document 23-1 Filed 04/07/21 Page 19 of 26

September 19 through October 16, 2007 Account Number: 5540

Page 3 of 4

USE THE DIRECT DEPOSIT ADVANCE SERVICE TO ACCESS UP TO \$500 PRIOR TO RECEIVING YOUR RECURRING DIRECT DEPOSIT INCOME. JUST USE THE ATM, ONLINE OR CALL THE PHONE BANK. SEE THE DIRECT DEPOSIT ADVANCE SERVICE AGREEMENT AND PRODUCT GUIDE FOR COMPLETE DETAILS.

Account Balance Calculation Worksheet

- 1. Use the following worksheet to calculate your overall account balance.
- Go through your register and mark each check, withdrawal, ATM transaction, payment, deposit or other credit listed on your statement. Be sure that your register shows any interest paid into your account and any service charges, automatic payments or ATM transactions withdrawn from your account during this statement period.
- Use the chart below, list any deposits, transfers to your account, outstanding checks, ATM withdrawals, ATM payments or any other withdrawals (including any from previous months) which are listed in your register but not shown on your statement.

ITEMS OUTSTANDING							
NUMBER AMOUNT							
TOTAL	\$						

	TOTAL	\$			
► A B	ADD Any deposits register or trayour account	s listed in your	\$		
			+\$ TOTAL	\$	
>	CALCULATI (Add Parts A		TAL	\$	
	SUBTRACT				
С	The total outstanding checks and withdrawals from the chart above\$				_
>	(Part A + Pa This amount as the currer	E THE ENDING rt B -Part C) should be the s nt balance show	same vn in	\$	

In Case of Errors or Questions About Your Electronic Transfers (Including Direct Deposit Advance or Deposit Advance SM* Transactions)

Telephone us at the number printed on the front of this statement or write us at Wells Fargo Bank, P.O. Box 6995, Portland, OR 97228–6995 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- 1. Tell us your name and account number (if any).
- 2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
- 3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

If the error concerns a **Direct Deposit Advance** or **Deposit Advance** transaction, you do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your **Direct Deposit Advance** or **Deposit Advance** transaction that are not in question. While we are investigating your question, we cannot report you as delinquent or take any action to collect the amount you question.

* The **Deposit Advance** service is not available in all states.

To Dispute or Report Inaccuracies in Information We Have Furnished to a Consumer Reporting Agency About Your Accounts

You have the right to dispute the accuracy of information that Wells Fargo Bank, N.A. has furnished to a consumer reporting agency by writing to us at Wells Fargo Servicing, P.O. Box 14415, Des Moines, IA 50306–3415. Please describe the specific information that is inaccurate or in dispute and the basis for the dispute along with all supporting documentation. If you believe the information furnished is the result of identity theft, please provide us with an identity theft report.



Are you interested in...

- Purchasing a home? Call us at 1-800-866-0743
- Getting a student loan? Call us at 1-888-945-5373
- Optimizing home equity? Call us at 1-866-259-0890

Case 2:20-cv-01529-BJR Document 23-1 Filed 04/07/21 Page 21 of 26

Account Statement

September 8 through October 4, 2007 Account Number: 5557

Page 1 of 6



AMANDA L SCHICK
626 NE 93RD AVE
APT A
PORTLAND OR 97220-4538

Thank you for banking with Wells Fargo. For assistance, call: 1-800-TO-WELLS (1-800-869-3557), TDD number (for the hearing impaired only):1-800-877-4833. Or write: WELLS FARGO BANK, N.A., SELAH, P.O. BOX 6995, PORTLAND, OR 97228-6995.

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Wells Fargo Free Checking

Amanda L Schick

Account Number: 5557

Activity summary

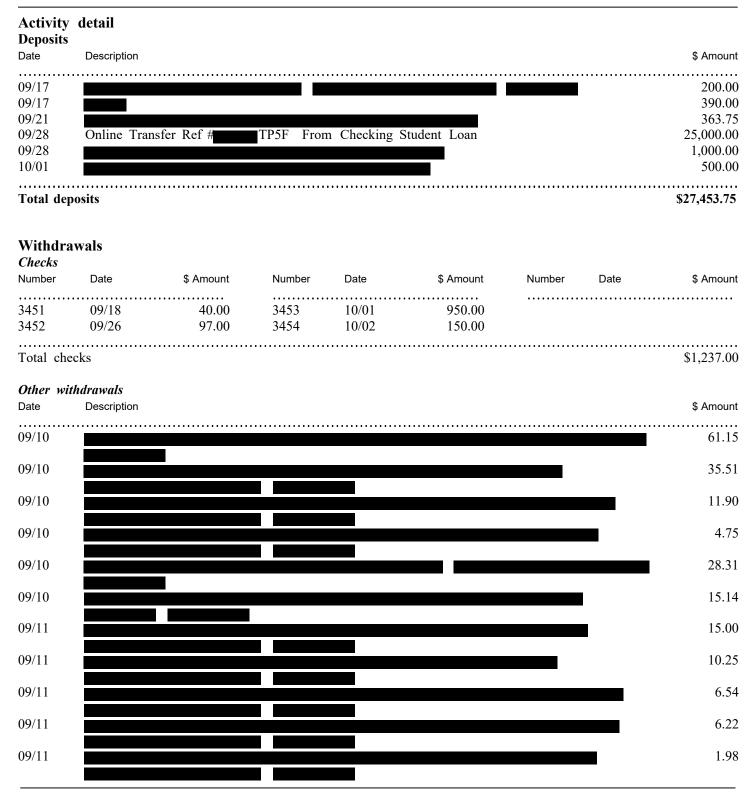
Balance on 10/04

Balance on 09/07
Deposits 27,453.75
Withdrawals -27,370.03

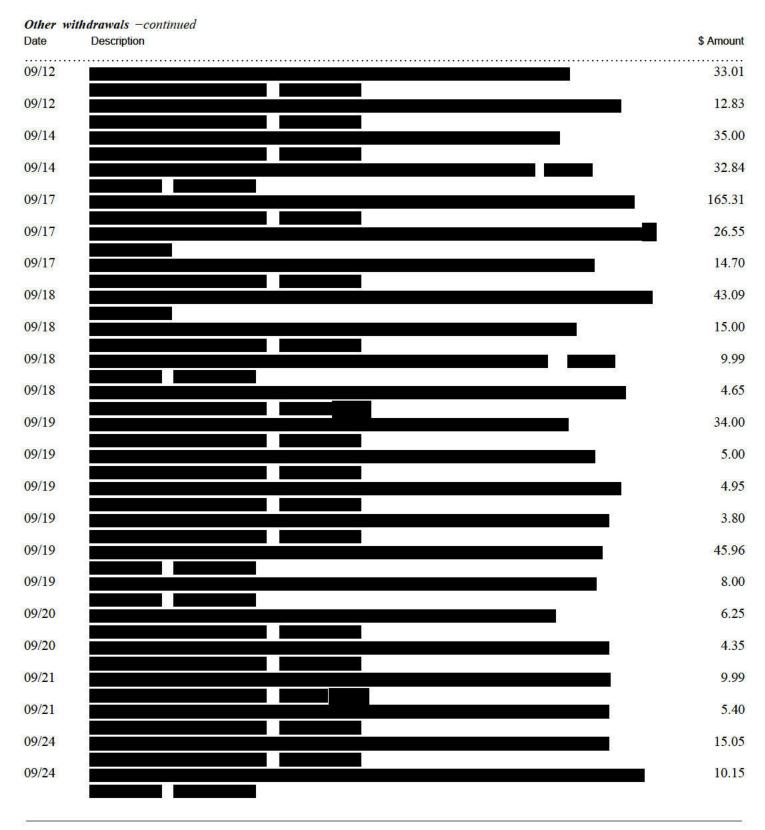
Before you leave on your next vacation, don't forget to get American Express Travelers Cheques. For more information and to purchase your Travelers Cheques, talk to your local banker. Or sign on to Wells Fargo Online Banking at wellsfargo.com and select

"Account Services" then "Order Travelers Cheques".

Page 2 of 6

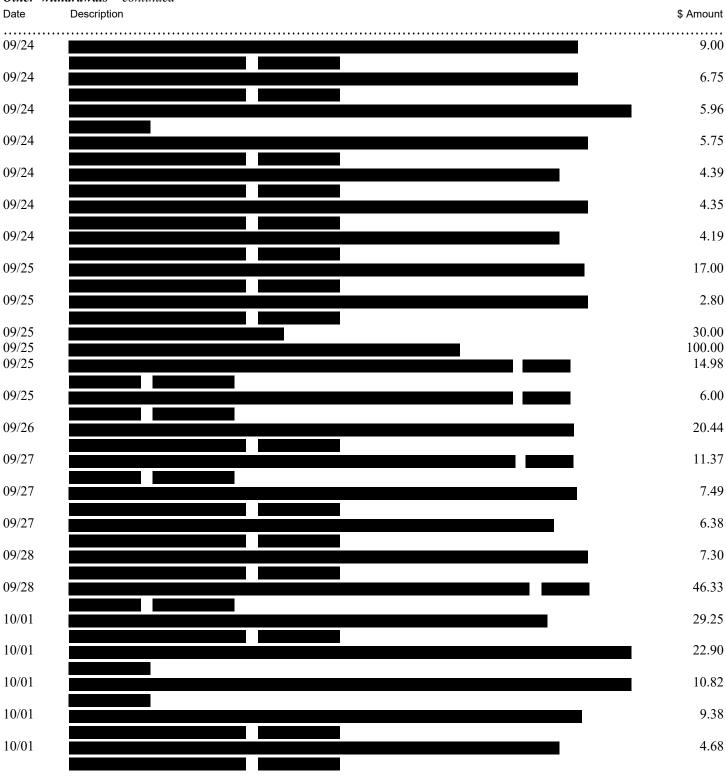


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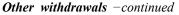


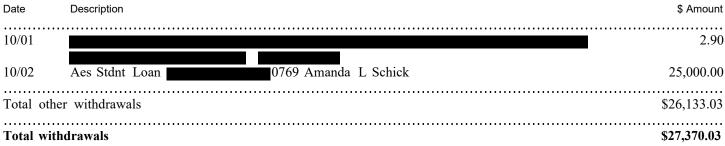
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Important Visa Account Updater Change: Effective November 12, 2007, Wells Fargo is expanding the Visa Account Updater Service (VAU) to include changes to a cardholder's card number as a result of a card reported as lost/stolen, unless there is reported fraud on the card number that is being replaced. Because not all merchants subscribe to the VAU Service, you should always notify each individual merchant of your new card number.

Daily balance summary

Date	\$ Balance	Date	\$ Balance	Date	\$ Balance
00/07	····· <u>·····</u>		·····		·····
09/07		09/18		09/26	
09/10		09/19		09/27	276.09
09/11		09/20		09/28	26,222.46
09/12		09/21		10/01	25,692.53
09/14		09/24		10/02	542.53
09/17		09/25			

Direct Deposit Advance (Lender -Wells Fargo Bank, N.A.)

Outstanding advance balance as of the beginning of this statement period including Finance Charges
Outstanding advance balance as of the end of this statement period including Finance Charges



Finance Charges incurred on advances taken during this statement period



Current advance credit limit

USE THE DIRECT DEPOSIT ADVANCE SERVICE TO ACCESS UP TO \$500 PRIOR TO RECEIVING YOUR RECURRING DIRECT DEPOSIT INCOME. JUST USE THE ATM, ONLINE OR CALL THE PHONE BANK. SEE THE DIRECT DEPOSIT ADVANCE SERVICE AGREEMENT AND PRODUCT GUIDE FOR COMPLETE DETAILS.

Account Balance Calculation Worksheet

- 1. Use the following worksheet to calculate your overall account balance.
- Go through your register and mark each check, withdrawal, ATM transaction, payment, deposit or other credit listed on your statement. Be sure that your register shows any interest paid into your account and any service charges, automatic payments or ATM transactions withdrawn from your account during this statement period.
- Use the chart below, list any deposits, transfers to your account, outstanding checks, ATM withdrawals, ATM payments or any other withdrawals (including any from previous months) which are listed in your register but not shown on your statement.

ITEMS OUTSTANDING							
NUMBER AMOUNT							
TOTAL	\$						

	TOTAL	\$			
•	ENTER				
A	The NEW BA	ALANCE show	n on your statement \$		
	ADD				
В	register or tra	s listed in your ansfers into t which are not ur statement.	\$ \$ \$		
			+\$		
			TOTAL\$		
	CALCULATI (Add Parts A		TAL\$		
	SUBTRACT				
С	The total outstanding checks and withdrawals from the chart above\$				
CALCULATE THE ENDING BALANCE (Part A + Part B -Part C) This amount should be the same as the current balance shown in your check register					

In Case of Errors or Questions About Your Electronic Transfers (Including Direct Deposit Advance or Deposit Advance ™* Transactions)

Telephone us at the number printed on the front of this statement or write us at Wells Fargo Bank, P.O. Box 6995, Portland, OR 97228–6995 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- 1. Tell us your name and account number (if any).
- 2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
- 3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation.

If the error concerns a **Direct Deposit Advance** or **Deposit Advance** transaction, you do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your **Direct Deposit Advance** or **Deposit Advance** transaction that are not in question. While we are investigating your question, we cannot report you as delinquent or take any action to collect the amount you question.

* The **Deposit Advance** service is not available in all states.

To Dispute or Report Inaccuracies in Information We Have Furnished to a Consumer Reporting Agency About Your Accounts

You have the right to dispute the accuracy of information that Wells Fargo Bank, N.A. has furnished to a consumer reporting agency by writing to us at Wells Fargo Servicing, P.O. Box 14415, Des Moines, IA 50306–3415. Please describe the specific information that is inaccurate or in dispute and the basis for the dispute along with all supporting documentation. If you believe the information furnished is the result of identity theft, please provide us with an identity theft report.



Are you interested in...

- Purchasing a home? Call us at 1-800-866-0743
- Getting a student loan? Call us at 1-888-945-5373
- Optimizing home equity? Call us at 1-866-259-0890